

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON**

STEVE KIM, individually and on behalf of all others similarly situated,

| Case No. 2:20-cv-00032-RSL

**Plaintiff,**

V.

**U.S. BANCORP and U.S. BANK NATIONAL  
ASSOCIATION.**

## Defendants.

**STIPULATED MOTION TO  
CONTINUE DEADLINE FOR  
PARTIES TO SUBMIT PROPOSED  
BRIEFING SCHEDULE FOR  
PLAINTIFF'S MOTION FOR  
CLASS CERTIFICATION  
PURSUANT TO RULE 23**

In accordance with Local Rule 7(d)(1) and Rule 6(b) of the Federal Rules of Civil Procedure, Plaintiff Steve Kim and Defendants U.S. Bancorp and U.S. Bank National Association respectfully move the Court to continue the deadline for the Parties to submit a briefing schedule for Plaintiff's motion for class certification under Fed. R. Civ. P. 23 ("Rule 23"). Under the Court's Order of July 20, 2020 (Dkt. No. 60), the Parties are to submit a proposed briefing schedule for Plaintiff's motion for class certification within 30 days of the Court's decision on Plaintiff's Motion for Conditional Certification. On August 18, 2021, this Court granted Plaintiff's Motion for Conditional Certification (Dkt. No. 74), thereby making September 17, 2021 the deadline to submit a proposed briefing schedule.

Court-authorized notice of this lawsuit went out to all potential collective members on September 15, 2021. Thus, the opt-in period is currently scheduled to close on November 15, 2021. Over the next several months the Parties will learn the scope of the collective and the anticipated discovery needed for the second phase of this case, including discovery needed for the Parties'

1 briefing on “decertification” of the FLSA collective and Rule 23 class certification, which will  
 2 necessarily bear on the Rule 23 briefing schedule.

3       Additionally, even had the conditional certification opt-in period not been a factor, given the  
 4 Jewish holiday this week, a number of necessary counsel are unavailable to complete conferral on a  
 5 potential Rule 23 briefing schedule, further necessitating a continuance.

6       Accordingly, the Parties propose that, on or before December 6, 2021, they submit for the  
 7 Court’s consideration a joint proposed second phase discovery order. This proposed order will  
 8 include, among other things, a deadline for second phase discovery, a briefing schedule for  
 9 Plaintiff’s motion for class certification under Rule 23, and a briefing schedule for Defendants’  
 10 motion for decertification of the FLSA collective, among other things.

11      RESPECTFULLY SUBMITTED AND DATED this 17th day of September, 2021.

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## IT IS SO ORDERED

Dated this 20th day of September, 2021.

Mrs Lasnik  
Robert S. Lasnik  
United States District Judge